

HOUSE No. 2867

By Mr. Fagan of Taunton, petition of James H. Fagan relative to the reporting of the abuse of mentally retarded persons. Mental Health and Substance Abuse.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO THE REPORTING OF THE ABUSE OF MENTALLY RETARDED PERSONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 19B of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by striking out section 10 and
3 inserting in place thereof the following section:—
4 Section 10. The superintendent of any state school, the director
5 of any mental retardation facility of the department, whether run
6 by the department or by a vendor on behalf of the department, or
7 the service coordinator of a department client residing with a care-
8 taker, as defined in section one of chapter nineteen C, who has
9 reason to believe that a crime, punishable by imprisonment in
10 state prison, or abuse, as defined in section one of chapter nine-
11 teen C, regardless of the punishment, has been committed by or
12 upon any person in the care of the particular facility, but not on
13 the premises thereof, or upon a department client by his caretaker,
14 shall, no later than one week from the date of the commission of
15 the crime or abuse, report the same to the disabled persons protec-
16 tion commission, the local police department, and the district
17 attorney within which the crime or abuse was committed.